

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	4:05CR3087
v.	)	
	)	
ROBERT A. SIMONES,	)	
	)	ORDER
Defendant.	)	
_____	)	

IT IS ORDERED:

1. The motion of counsel for defendant to withdraw, filing 12, is denied.

2. The amended motion of counsel for defendant to withdraw, filing 13, is granted effective upon the filing of a certificate of service or affidavit indicating that the defendant has been served with a copy of this order.

3. Defendant is given 20 days from the date of this order in which to either: (1) obtain the services of substitute counsel and have that attorney file an appearance in his behalf or, (2) file a financial affidavit setting forth his present financial status, requesting the appointment of counsel.

4. The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between August 25, 2005 and September 15, 2005 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the defendant does not have an attorney. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 25<sup>th</sup> day of August, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge